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EXAMINER	
VU, THONG H	

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/858,403	COLLINGS, JOHN K.
	Examiner	Art Unit
	Thong H Vu	2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-65* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-65* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 May 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 1-65 are pending.

Claim Rejections - 35 USC § 112

2. Claims 1 and 48 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.(i.e.: a not-automatically receipt confirmed communication protocol device).

3. Claims 1,6,48 are objected to because of the following informalities: Applicant claims the first event, first event code, first packet, first individual without identify the second one in comparison. Examiner considers the first one as a regular one. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-5,7-65 are rejected under 35 U.S.C. § 103 as being unpatentable over Tsumpes [6,442,241 B1] in view of Lewin [4,774,658].

5. As per claim 1, Tsumpes discloses a method of transmitting an event notification [Tsumpes, an event notification system, abstract] comprising the steps of:

a. transmitting to a first individual (i.e.: a subscriber), the first event code corresponding to a first event [Tsumpes, a unique event code, col 7 lines 20-52];

b. upon receiving a response communication from the first individual, requesting that the first individual respond with the first event code [Tsumpes, wait for a response by a subscriber, col 7 lines 20-52];

c. if the first individual responds by transmitting the first event code, then identifying the first event from the first event code [Tsumpes, identify of remote event sensors, col 8 lines 60-67]; and

d. transmitting instructions relating to the first event to the first individual [Tsumpes, instructional data, col 5 lines 55-65; the action steps to be taken, col 6 lines 10-32].

However Tsumpes does not detail via a not-automatically receipt confirmed communication (i.e.: manually confirm) a first data packet that includes a first event code.

Lewin discloses an event notification system wherein a message is received and confirmed by operator [Lewin, col 12 lines 7-50; col 24 lines 23-28]. An official Notice is taken that an event notification using event code and call identifier was well-known in the art [see Moore reference] and the message confirmation either by manual or automatic as a design choice [see Natarajan reference].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the technique of using the confirmed message/packet in a event notification system as taught by Lewin into the Tsumpes apparatus in order to utilize the notification message. Doing so would provide an

opportunity for operator to pay attention and re-evaluate the condition of network elements before the decision is made.

6. As per claim 2, Tsumpes-Lewin disclose identifying the first individual from the first event code [Tsumpes, a unique event code, col 7 lines 20-52].

7. As per claim 3, Tsumpes-Lewin disclose identifying the first individual from a caller identification data packet received from a telephone [Tsumpes, a unique event code, col 7 lines 20-52].

8. As per claim 4 Tsumpes-Lewin disclose the first event comprises all alarm at a selected location [Tsumpes, alarm system, col 4 lines 45-52].

9. As per claim 5, Tsumpes-Lewin disclose maintaining a record of the telephone call received from the first individual [Tsumpes, telephone call, record, database, col 7 lines 20-52].

10. As per claim 7, Tsumpes-Lewin disclose the instructions include directions to a location of the first event [Tsumpes, instructional data, col 5 lines 55-65; the action steps to be taken, col 6 lines 10-32].

11. As per claim 8, Tsumpes-Lewin disclose selecting the first individual from a plurality of individuals based upon a pre-selected set of criteria [Tsumpes, instructional data, col 5 lines 55-65].

12. As per claim 9, Tsumpes-Lewin disclose the pre-selected set of criteria include at least one of the following:

a. who of the plurality of individuals is currently on duty;

b. who of the plurality of individuals is closest to a location of the first event;

who of the plurality of individuals is currently not assigned to another event; and

d. who of the plurality of individuals is most capable of responding to the first event as inherent features of predetermined or pre-programmed [Tsumpes, col 5 lines 55-65].

13. As per claim 10, Tsumpes-Lewin disclose transmitting to a local facility an indication that the first event has occurred as inherent feature of a mobile switching center [Tsumpes, a mobile switching center, col 5 lines 19-34].

14. As per claim 11, Tsumpes-Lewin disclose displaying information relating to the first event on a site accessible to a user via a global computer network [Tsumpes, Internet, col 6 lines 32-58].

15. As per claim 12, Tsumpes-Lewin disclose the information includes a graphical display of a location of the first event [Tsumpes, view easily, col 6 lines 32-58; being displayed, col 10 lines 1-10].

16. As per claim 13, Tsumpes-Lewin disclose the information includes a graphical display of a nature of the first event [Tsumpes, view easily, col 6 lines 32-58; being displayed, col 10 lines 1-10].

17. As per claim 14, Tsumpes-Lewin disclose the information includes a graphical display of a current location of the first individual [Tsumpes, view easily, col 6 lines 32-58; being displayed, col 10 lines 1-10].

18. As per claim 15, Tsumpes-Lewin disclose verifying that the first individual has responded to the first event by reading a personal identification of the first individual [Tsumpes, a personal identiifcation number PIN, col 6 lines 1-10].

19. As per claim 16, Tsumpes-Lewin disclose reading a personal identification apparatus at a location of the first event [Tsumpes, a personal identiifcation number PIN, col 6 lines 1-10].

20. As per claim 17, Tsumpes-Lewin disclose the verifying comprises the step of reading biometric data at a location of the first event as inherent feature of the sensor

and subscriber information [Tsumpes, the sensor and subscriber information, col 6 lines 1-10].

21. As per claim 18, Tsumpes-Lewin disclose activating a service mode upon completion of the verifying step, wherein the first event occurs at a first location and wherein the service mode causes a preselected set of subsequent events occurring at the first location to be ignored as inherent feature of subsequent action [Tsumpes, col 10 lines 30-40].

22. As per claim 19, Tsumpes-Lewin disclose activating a service mode upon completion of the verifying step, wherein the first event occurs at a first location and wherein the service mode causes a preselected set of pending events occurring at the first location to be ignored [Tsumpes, col 10 lines 30-40].

23. As per claim 20, Tsumpes-Lewin disclose instructing the first individual to follow a procedure to indicate acceptance of responsibility for the first event [Tsumpes, instructional data, col 5 lines 55-65; the action steps to be taken, col 6 lines 10-32].

24. As per claim 22, Tsumpes-Lewin disclose depressing a preseleded button on a telephone handset [Tsumpes, attempts to manually telephone, col 1 lines 47-62].

25. As per claim 22, Tsumpes-Lewin disclose transmitting a description of the first event to the first individual [Tsumpes, instructional data, col 5 lines 55-65; the action steps to be taken, col 6 lines 10-32].

26. As per claim 23, Tsumpes-Lewin disclose the transmitting at least one instruction to the first individual as to how the first individual is to respond to the first event [Tsumpes, instructional data, col 5 lines 55-65; the action steps to be taken, col 6 lines 10-32].

27. As per claim 24, Tsumpes-Lewin disclose a plurality of events occurs at a location and wherein if the first individual responds to the fist event then the first individual accepts responsibility for each of the events of the plurality of events.

28. As per claim 25, Tsumpes-Lewin disclose allowing the first individual to selectively accept responsibility for each of the events of the plurality of events [Tsumpes, different events, col 4 liens 52-64; each different sensor, col 6 lines 32-58].

29. As per claim 26, Tsumpes-Lewin disclose receiving acceptance for the secondary event when the first individual indicates acceptance for the first event [Tsumpes, subsequent action, col 10 lines 30-42].

30. As per claim 27, Tsumpes-Lewin disclos a method of transmitting an event notification, comprising the steps of:

a. automatically transmitting, from a central event notification center, a notification of an event to at least one individual [Tsumpes, automatically call the phone number, col 6 lines 32-58; the automated notification process, col 7 lines 20-52];

b. receiving from the individual, at the central event notification center, an indication of acceptance of responsibility for the event [Tsumpes, the central monitoring station, col 5 lines 46-65] and

c. upon completion of the receiving step, updating a central database to indicate that the event has been responded to [Tsumpes, update or modify his record, col 6 lines 32-58; database record, col 5 lines 35-45].

31. As per claim 28, Tsumpes-Lewin disclose automatically identifying the individual [Tsumpes PIN, col 6 lines 1-10].

32. As per claim 29, Tsumpes-Lewin disclose receiving a unique personal identifying code that identifies the individual [Tsumpes PIN, col 6 lines 1-10].

33. As per claim 30, Tsumpes-Lewin disclose the personal identifying code is transmitted to the central event notification center by the individual keying in the personal identifying code via telephone [Tsumpes PIN, col 6 lines 1-10].

34. As per claim 31, Tsumpes-Lewin disclose the personal identifying code is transmitted to the central event notification center by the individual activating a personal identification apparatus [Tsumpes PIN, col 6 lines 1-10].

35. As per claim 32, Tsumpes-Lewin disclose receiving a unique notification identifying code that identifies a specific instance of execution of the transmitting step [Tsumpes PIN, col 6 lines 1-10].

36. As per claim 33, Tsumpes-Lewin disclose A method of transmitting an event notification, comprising the steps of:

a. receiving an event indication from a remote station indicating an event condition [Tsumpes, remote sensor, col 4 lines 35-40]; and

b. upon expiration of a preselected period, notifying at least one individual of the event [Tsumpes, time interval, col 8 lines 4-12].

37. As per claim 34, Tsumpes-Lewin disclose an expected amount of time from completion of the receiving step until a restore signal would be transmitted from the remote station the restore signal indicating that the event condition had ceased to exist [Tsumpes, remote sensor, col 4 lines 35-40; time interval, col 8 lines 4-12].

38. As per claim 35, Tsumpes-Lewin disclose an expected amount of time from completion of the receiving step until at least one second event indication would be

received if a second event, related to the first event, were to occur [Tsumpes, time interval, col 8 lines 4-12; subsequent action, col 10 lines 30-40].

39. As per claim 36, Tsumpes-Lewin disclose transmitting a single notification of a group of related events to the individual [Tsumpes, a plurality of different events, col 4 lines 52-65].

40. As per claim 37, Tsumpes-Lewin disclose the receiving step and the notifying step each occur at a central event notification center [Tsumpes, the central monitoring station, col 5 lines 47-65].

41. As per claim 38, Tsumpes-Lewin disclose a method of displaying status of notifications, comprising the steps of:

a. displaying a map on a computer screen [Tsumpes, being displayed, col 10 lines 1-10];

b. displaying at least one first icon on the map [Tsumpes, a web site, col 6 lines 1-10,32-58] corresponding to a location of a stationary asset that is subject to the occurrence of events [Tsumpes, occurred, col 7 lines 14-52];

c. altering the icon to signify the occurrence of a first event if the first event occurs at the stationary asset [Tsumpes, change the status, col 4 lines 1-26];

d.receiving an indication of a current location of a mobile asset assigned to respond to the event [Tsumpes, thye current system, col 3 lines 54-62]; and

e. displaying at least one second icon on the map corresponding to a current location of the mobile asset [Tsumpes, being displayed, col 10 lines 1-10].

42. As per claim 39 Tsumpes-Lewin disclose a service vehicle [Tsumpes, vehicle, col 4 lines 45-65].

43. As per claim 40, Tsumpes-Lewin disclose a personal locating device [Tsumpes, cellular network, col 5 liens 19-34].

44. As per claim 41, Tsumpes-Lewin disclose changing the color of the icon as inherent feature of web site 24, Fig 1-2].

45. As per claim 42, Tsumpes-Lewin disclose periodically determining an updated current location of the mobile asset and periodically updating second icon on the map to represent the updated current location of the mobile asset [Tsumpes, update record, col 6 lines 32-58; time intervals, col 8 lines 4-12].

46. As per claim 43, Tsumpes-Lewin disclose a method of delivering event notification data to a proprietary network used by a local facility, comprising the steps of:

a. receiving, at a central notification processing center of a multi-user notification network event notification data from a local reporting device [Tsumpes, central monitoring station, col 5 lines 47-65];

b. converting the event notification data from a first data format characteristic of the multi-user notification network into a second data format characteristic of a proprietary network [Tsumpes, converted at the receiving end, col 6 line 59-col 7line 12]; and

c. transmitting the event notification data, in the second data format, to a local facility [Tsumpes, converted at the receiving end, col 6 line 59-col 7line 12].

47. As per claim 44, Tsumpes-Lewin disclose receiving a notification via a wide area data network [Tsumpes, Internet, col 6 lines 32-58].

48. As per claim 45, Tsumpes-Lewin disclose transmitting the event notification data to the local facility via a wide area data network [Tsumpes, Internet, col 6 lines 32-58].

49. As per claim 46, Tsumpes-Lewin disclose transmitting the event notification data to the local facility via a telephone network [Tsumpes, PSTN, col 5 lines 1-18].

50. As per claim 47, Tsumpes-Lewin disclose the regional multi-user notification network is a national network as inherent feature of network.

51. As per claim 48, Tsumpes-Lewin disclose a method of monitoring rainfall, comprising the steps of

a. sensing rainfall with a rainfall sensor at a selected location [Tsumpes, sensor, col 4 lines 45-65];

b. periodically transmitting rainfall data indicating an accumulated rainfall amount, determined as a result of the sensing step [Tsumpes, time intervals, col 8 lines 4-12], to a central processing center using a not-automatically receipt confirmed communication protocol device [Lewin, ask for confirmation, col 12 lines 7-50; col 24 lines 23-28]; and providing the rainfall data to a selected local facility [Lewin, local access number, col 14 lines 17-23].

52. As per claim 49, Tsumpes-Lewin disclose transmitting an immediate notification if a rainfall rate above a predetermined threshold is sensed by the rainfall sensor as inherent feature of rainfall sensor.

53. As per claim 50, Tsumpes-Lewin disclose the predetermined threshold is a rate of one tenth of an inch per hour as inherent feature of rainfall sensor.

54. As per claim 51, Tsumpes-Lewin disclose accepting an acknowledgment from an individual who has received an immediate notification [Lewin, ACK, col 12 lines 7-35].

55. As per claim 52, Tsumpes-Lewin disclose

a. accepting a single acknowledgment from an individual who has received one immediate notification corresponding to a first sensor of the plurality of rainfall sensors [Tsumpes, any type of sensors, col 4 lines 45-65] and

b. upon sensing the single acknowledgment, suppressing immediate notifications corresponding to each of the plurality of rainfall sensors for a preselected period [Tsumpes, time interval, col 8 lines 4-12]

56. As per claim 53, Tsumpes-Lewin disclose the sensing step is performed using a tipping bucket as inherent feature of rainfall sensor.

57. As per claim 54, Tsumpes-Lewin disclose placing the rainfall data on a site accessible via a global computer network [Tsumpes, Internet, col 6 lines 32-58].

58. As per claim 55, Tsumpes-Lewin disclose

a. displaying a map on a computer screen [Tsumpes, being displayed, col 10 lines 1-10];

b. displaying a rainfall sensor icon on the map [Tsumpes, a web site, col 6 lines 1-10,32-58] so as to correspond to the selected location of the rainfall sensor [Tsumpes, sensor, col 4 lines 45-65]; and

c. upon receiving an indication that a user desires to view data relating to the rainfall sensor, displaying the rainfall data [Tsumpes, easily view, col 6 lines 32-58].

59. As per claim 56, Tsumpes-Lewin disclose a device for accepting a response to a notification from an individual at a selected location, comprising:

a. a personal identification apparatus disposed at the selected location, capable of identifying an individual and capable of verifying that the individual is at the selected location [Tsumpes, PIN, col 6 line 1-10; col 7 line 53-col 8 line 3]; and

b. a wireless communication apparatus, responsive to the personal identification apparatus, that transmits to a central notification processing center, an indication that the individual is at the selected location [Tsumpes, wireless network, col 5 lines 19-34].

60. As per claim 57, Tsumpes-Lewin disclose an event notification system that receives an indication of an event from a fixed asset and that is capable of transmitting to the central notification processing center an indication that the event has occurred [Tsumpes, occurred, col 7 lines 14-52].

61. As per claim 58, Tsumpes-Lewin disclose a service key reader as inherent feature of rainfall sensor.

62. As per claim 59, Tsumpes-Lewin disclose a bar code key reader capable of reading a bar-coded tag as inherent feature of sensor.

63. As per claim 60, Tsumpes-Lewin disclose a magnetic stripe reader as inherent feature of rainfall sensor.

64. As per claim 61, Tsumpes-Lewin disclose a biometic data reader as inherent feature of rainfall sensor.

65. As per claim 62 Tsumpes-Lewin disclose the personal identification apparatus comprises:

a. a global positioning satellite receiver that is capable of locating the individual [Tsumpes, the wireless network, col 5 lines 19-34];

b. a wireless communications circuit, responsive to the global positioning satellite receiver, that is capable of transmitting to the central notification processing center a location of the individual at a predetermined time [Tsumpes, a sensor location col 4 lines 53-65;col 6 lines 10-32;col 7 lines 3-12; time interval, col 8 lines 5-12]; and

c. a computer programmed to:

i. determine if the location of the individual is within a preselected distance from the selected location [Tsumpes, pre-program or custom program, col 5 lines 47-65]; and

ii. indicate to the central notification processing center that the individual has arrived at the selected location if the individual is within the preselected distance from the selected location [Tsumpes, in response to the particular sensor location, col 7 lines 3-12].

66. As per claim 63, Tsumpes-Lewin disclose the global positioning satellite receiver is programmed to enter an inactive mode once the location of the individual is within the preselected distance from the selected location [Tsumpes, change status or failure, col 4 lines 1-26; vehicle, col 4 lines 45-65].

67. As per claim 64, Tsumpes-Lewin disclose the global positioning satellite receiver is disposed in a vehicle driven by the individual [Tsumpes, vehicle, col 4 lines 45-65].

68. As per claim 65, Tsumpes-Lewin disclose a method of generating a record of service visits, comprising the steps of

a. reading personal identification data relative to an individual at a preselected location with a personal identification apparatus disposed at the preselected location [Tsumpes, PIN, col 6 lines 1-9; the sensor location, col 6 lines 10-32; col 7 lines 3-12];

b. transmitting the personal identification data, a timestamp data packet and a location identification data packet from the personal identification apparatus to a central processing center via a wireless communication channel [Tsumpes, date and time, col 7 line 53-col 8 line 3; wireless network, col 5 lines 19-34];

c. storing the personal identification data the timestamp data packet and the location identification data packet a the central processing center generating a report that indicates the when the individual visited the preselected location [Tsumpes, date and time, col 7 line 53-col 8 line 3; central monitoring station and record, vol 6 lines 32-58].

Allowable Subject Matter

69. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

70. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.
The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final	(703) 746-7238
Official:	(703) 746-7239
Non-Official	(703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
Art Unit 2142